

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER <b>14321.87</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b> <b>10/585532</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP2005/010224</b>	INTERNATIONAL FILING DATE <b>3 June 2005</b>	PRIORITY DATE CLAIMED <b>3 June 2004</b>
<b>TITLE OF INVENTION</b> <b>OPTICAL SIGNAL QUALITY MONITORING CIRCUIT AND OPTICAL SIGNAL QUALITY MONITORING METHOD</b>		
<b>APPLICANT(S) FOR DO/EO/US</b> <b>Ippei Shake</b> <b>Hidehiko Takara</b> <b>Atsushi Taniguchi</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p><b>Items 13 to 23 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <b>EV 825 902 405 US</b></li> </ol>		

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The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole)</td> <td>RATE</td> </tr> <tr> <td>130 - 100 =</td> <td>30 /50 =</td> <td>1</td> <td>x \$250.00</td> </tr> <tr> <td colspan="4">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>19 - 20 =</td> <td>0</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td><input type="checkbox"/> +</td> <td>\$360.00</td> </tr> <tr> <td colspan="2"></td> <td><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ \$1,150.00</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</td> <td>\$ \$0.00</td> <td></td> </tr> <tr> <td colspan="2"></td> <td><b>SUBTOTAL =</b></td> <td>\$ \$1,150.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td>\$ \$0.00</td> <td></td> </tr> <tr> <td colspan="2"></td> <td><b>TOTAL NATIONAL FEE =</b></td> <td>\$ \$1,150.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +</td> <td>\$ \$40.00</td> <td></td> </tr> <tr> <td colspan="2"></td> <td><b>TOTAL FEES ENCLOSED =</b></td> <td>\$ \$1,190.00</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be</td> <td>\$</td> </tr> </table>			The following fees have been submitted:		CALCULATIONS	PTO USE	24. <input checked="" type="checkbox"/> Basic national fee .....		\$ \$300		25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article		\$ \$200.00		All other situations .....		\$ \$0		26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....		\$ \$0		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority .....		\$ \$100		International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB .....		\$ \$400		All other situations .....		\$ \$500		<b>TOTAL OF 24, 25 and 26 =</b>		\$ \$900.00		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). 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**10/585532**

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

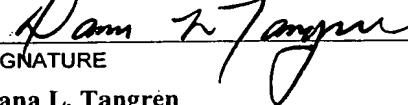
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- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.  
b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
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c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3178. A duplicate copy of this sheet is enclosed.  
d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

Dana L. Tangren  
WORKMAN NYDEGGER

  
SIGNATURE

Dana L. Tangren

NAME

37,246

REGISTRATION NUMBER

7/10/06  
DATE

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PATENT TRADEMARK OFFICE  
CUSTOMER NO.

10/585532  
AP20 Rec'd PCT/PTO 10 JUL 2006

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)				Docket No. 14321.87	
Applicant(s): Hidehiko Takara et al.					
Serial No.	Filing Date	Confirmation No.	Customer No. 022913	Examiner	Group Art Unit
Invention: OPTICAL SIGNAL QUALITY MONITORING CIRCUIT AND OPTICAL SIGNAL QUALITY MONITORING METHOD					

I hereby certify that the following are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop: PCT, Commissioner for Patents, PO Box 1450, Arlington, Virginia 22313-1450.

DATED this 10<sup>th</sup> day of July 2006.

- Transmittal Letter concerning filing under 35 USC § 371 (3 pages) (in duplicate)
- A copy of PCT/JP2005/010224
- Combined Declaration and Power of Attorney (5 pages)
- Assignment with cover sheet form PTO-1595 (4 pages)
- Preliminary Amendment (17 pages)
- Application Data Sheet (4 pages)
- Verification of Translation
- English translation of PCT/JP2005/010224 (79 pages)
- Drawings (33 pages)
- Copy of International Search Report (4 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$1,190
- Transmittal for Information Disclosure Statement (3 pages)
- Information Disclosure Statement (3 pages)
- Form PTO-1449 listing 6 references (2 pages)
- A copy of each reference listed on the PTO-1449
- Postcard

DANA L. TANGREN

(Typed or Printed Name of Person Mailing Correspondence)

  
(Signature of Person Mailing Correspondence)

EV 825 902 405 US

("Express Mail" Mailing Label Number)

10/585532  
IAP20 Rec'd PCT/PTO 10 JUL 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re International Application of

Ippei SHAKE et al.

International Application No.: PCT/JP2005/010224  
International filing date: June 3, 2005

For: OPTICAL SIGNAL QUALITY MONITORING CIRCUIT AND  
OPTICAL SIGNAL QUALITY MONITORING METHOD

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patent and Trademark  
Washington, D.C. 20231

Sir:

Kenichi KAKINUMA residing at c/o TANI & ABE, No. 6-20, Akasaka  
2-chome, Minato-ku, Tokyo 107-0052, Japan, declares:

(1) that he knows well both the Japanese and English  
languages;

(2) that he translated the claims of the  
above-identified International Application from Japanese to  
English;

(3) that the attached English translation is a true  
and correct translation of the claims, specification and  
drawings of the above-identified International Application  
to the best of his knowledge and belief; and

(4) that all statements made of his own knowledge  
are true and that all statements made on information and belief  
are believed to be true, and further that these statements  
are made with the knowledge that willful false statements and  
the like are punishable by fine or imprisonment, or both, under  
18 USC 1001, and that such false statements may jeopardize  
the validity of the application or any patent issuing thereon.

October 14, 2005

Date

宍沼健一

Kenichi KAKINUMA